

FACSIMILE COVER SHEET
SALIWANCHIK, LLOYD & SALIWANCHIKA Professional Association
2421 N.W. 41st Street
Suite A-1

Gainesville, FL 32606

Telephone (352) 375-8100
Facsimile (352) 372-5800**Examiner:** Fenn Mathew**FROM:** David Saliwanchik**COMPANY:** U.S. Patent Office
Art Unit 3764**DATE:** April 17, 2004**FAX NO.:** (703) 746-7448**NO. OF PAGES**
(INCLUDING COVER SHEET): 4**SUBJECT/MESSAGE:**Serial No. 09/889,940; filed September 24, 2001
Attorney Docket No. GJE-75

1) Informal Communication (3 pages)

The information contained in this facsimile message is intended only for the personal and confidential use of the designated recipients named below. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message by mail. Thank you.

If you do not receive all pages or if any transmission is not legible, call the sender at (352) 375-8100.

H:\DOC\FAXCOVER\PTO\GJE-75-COMM.DOC\RES\la

INFORMAL COMMUNICATION
Patent Application
Docket No. GJE-75
Serial No. 09/889,940

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Fenn Mathew
Art Unit : 3764
Applicants : Stephen George Edward Barker
Serial No. : 09/889,940
Filed : September 24, 2001
Confirm. No. : 4604
For : Protective Cover for Injured Limbs

INFORMAL COMMUNICATION

Dear Examiner Mathew:

Thank you for agreeing to conduct a personal interview for the above-referenced case. I and my colleague, Margaret Efron, will plan on being there at 12:00 on Tuesday.

As you know, the only rejections are under 35 U.S.C. §102 and §103, and are based on U.S. Patent No. 3,741,203 (Liman).

Please consider the following remarks in anticipation of our interview.

I. Primary Distinctions Between the Liman reference and the Current Invention.

- Liman is concerned with keeping water out of an injured area by, for example, creating a water-tight seal around a traditional cast. See, for example, the first sentence of the Abstract.
- The current invention maintains a warm/moist environment inside the device to promote wound healing. Contrary to the teachings of Liman, a moist environment

H:\DOCP\PTO\Communication\GJE-75-informalcommunication.doc/DNB/la

(rather than a dry environment) has been found by the current applicant to expedite wound healing.

- The current device has been demonstrated to actually promote healing; thus, the current invention provides a therapeutic advantage. See, for example, pages 6 and 7 of the current specification.
- The current invention utilizes absorbent material, within the device, but not on the wound, to keep only unaffected portions of the limb dry.

We believe that there are structural differences between the Liman device and the device of the current invention; however, if you think it would expedite the process to focus at this time more on the method claims, I believe that the client would be willing to do so.

Possible claim amendments are as follows:

11 (currently amended). A device for protecting and promoting the healing of a wound on a limb wherein said device comprises an enclosure comprising a plastic material, wherein said enclosure has a closeable opening at an end thereof, a fastening means to enable the opening of said enclosure to be closed around the limb with the wound contained within said enclosure, and a at least one fluid-absorbent material within said enclosure such that, when the device is applied to a limb with a wound, said fluid absorbent material is within said enclosure and is in contact with an unaffected part of the limb to prevent excoriation of the unaffected part of the limb; and wherein said device provides a warm and moist environment around the wound while, at the same time, preventing excoriation of the unaffected part of the limb.

31 (currently amended). A method for treating improving healing in a limb having a wound using a device for protecting the wounded limb, wherein said device comprises an enclosure comprising a plastic material, wherein said enclosure has a closeable opening at an end thereof, a

H:\DOCVPTO\Communication\GJE-75-informalcommunication.doc/DNB/la

3

Docket No. GJE-75
Serial No. 09/889,940

fastening means to enable the opening of said enclosure to be closed around the limb with the wound contained within said enclosure, and at least one fluid-absorbent material within said enclosure such that, when the device is applied to a limb with a wound, said fluid absorbent material is within said enclosure and is in contact with an unaffected part of the limb to prevent excoriation of the unaffected part of the limb; and wherein said device provides a warm and moist environment around the wound while, at the same time, preventing excoriation of the unaffected part of the limb comprising:

- a. inserting the wounded limb into the closeable opening of the device;
- b. placing the wounded limb in the enclosure so that the wound is contained within the enclosure; and
- c. securely closing the enclosure of the device about the wounded limb using the fastening means.

We will look forward to seeing you on Tuesday. If you need to contact me prior to Tuesday, please leave a message at my office.

Respectfully submitted,



David R. Saliwanchik

Patent Attorney

Registration No. 31,794

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik
A Professional Association
2421 NW 41st Street, Suite A-1
Gainesville, FL 32606-6669

DRS/la

H:\DOCA\PTO\Communication\GJE-75-informalcommunication.doc\DNB/la